



MEETING OF THE CITY COUNCIL

Cheryl Cox, Mayor

Pamela Bensoussan, Councilmember
Patricia Aguilar, Councilmember
Rudy Ramirez, Councilmember
Mary Salas, Councilmember

James D. Sandoval, City Manager
Glen R. Googins, City Attorney
Donna R. Norris, City Clerk

May 7, 2013
2:00 p.m.

Council Chambers
City Hall – Building 100
276 Fourth Avenue

CALL TO ORDER

ROLL CALL: Councilmembers Aguilar, Bensoussan, Ramirez, Salas and Mayor Cox

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- OATH OF OFFICE

Jason Paguio, Cultural Arts Commission

- PRESENTATION BY DEL MAR FAIRGROUNDS INFORMATION OFFICER LINDA ZWEIG REGARDING THE 2013 SAN DIEGO COUNTY FAIR
- PRESENTATION OF A PROCLAMATION TO COMMISSION ON AGING CHAIR TONY SAN NICOLAS, NORMAN PARK SENIOR CLUB PRESIDENT DOTTIE KERSEY AND NORMAN PARK CENTER FOUNDATION BOARD MEMBER KAY BODGE PROCLAIMING MAY 2013 AS OLDER AMERICANS MONTH IN CHULA VISTA
- PRESENTATION OF A PROCLAMATION TO ELKS LODGE 2011 EXALTED RULER ASHLEY MUNOZ, PAST EXALTED RULER MARTIN BARROS, ESTEEMED LEADING KNIGHT PHIL BYRD AND ASSISTANT INNER GUARD BECKY MUNOZ PROCLAIMING MAY 1 THROUGH MAY 7, 2013 AS YOUTH WEEK IN CHULA VISTA

- PRESENTATION OF A PROCLAMATION TO PRINCIPAL CIVIL ENGINEER TOM ADLER, ENVIRONMENTAL RESOURCE MANAGER BRENDAN REED, PRINCIPAL CIVIL ENGINEER FRANK RIVERA, CONSERVATION ASSOCIATE REBECCA ROBINSON, SAN DIEGO COUNTY BIKE COALITION MEMBER RANDY VAN VLECK AND SANDAG iCOMMUTE PROGRAM MANAGER KIMBERLY WEINSTEIN PROCLAIMING MAY 2013 AS NATIONAL BIKE MONTH IN CHULA VISTA
- PRESENTATION OF A PROCLAMATION TO ASSISTANT DIRECTOR OF RECREATION KRISTI MCCLURE, OLYMPIC TRAINING DIRECTOR TRACY LAMB AND MEDIA RELATIONS COORDINATOR EMILY COX PROCLAIMING SATURDAY, MAY 11, 2013 AS NATIONAL KIDS TO PARKS DAY IN CHULA VISTA
- PRESENTATION OF A PROCLAMATION TO CHULA VISTA AQUATIC SUPERVISOR III ELIZABETH KOVAR AND FIRE CAPTAIN MIKE FILSON PROCLAIMING MAY 2013 AS DROWNING PREVENTION MONTH IN THE CITY OF CHULA VISTA
- PRESENTATION OF A PROCLAMATION BY CALIFORNIA PARK & RECREATION SOCIETY PRESIDENT-ELECT MARK MARISCAL AND REGION 5 REPRESENTATIVE ALIAH BROZOWSKI OF THE 2012 CALIFORNIA PARK & RECREATION SOCIETY AWARD OF EXCELLENCE FOR THE CITY'S WATER AWARENESS IN RESIDENTIAL NEIGHBORHOODS (WARN) DROWNING PREVENTION PROGRAM

CONSENT CALENDAR

(Items 1-15)

The Council will enact the Consent Calendar staff recommendations by one motion, without discussion, unless a Councilmember, a member of the public, or staff requests that an item be removed for discussion. If you wish to speak on one of these items, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting. Items pulled from the Consent Calendar will be discussed immediately following the Consent Calendar.

1. APPROVAL OF MINUTES of March 26, 2013.

Staff recommendation: Council approve the minutes.

2. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.28 OF THE CHULA VISTA MUNICIPAL CODE BY ADDING SECTION 15.28.020, RESIDENTIAL GRAYWATER STUB-OUT (SECOND READING AND ADOPTION) (Assistant City Manager/Director of Development Services)

Staff recommendation: Council adopt the ordinance.

3. ORDINANCE OF THE CITY OF CHULA VISTA ADDING CHAPTER 2.01 (CODE OF ETHICS) TO THE CHULA VISTA MUNICIPAL CODE AND AMENDING CHAPTER 2.28 (BOARD OF ETHICS), INCLUDING ADDING SECTIONS 2.28.160 (DISCLOSURE OF BOARD RECORDS) THROUGH 2.28.170 (SEVERABILITY), OF THE CHULA VISTA MUNICIPAL CODE (SECOND READING AND ADOPTION) (City Attorney's office via Chula Vista Board of Ethics)

Recommendation: Council adopt the ordinance.

4. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING AMENDMENTS TO THE FISCAL YEAR 2012/2013 FIRE DEPARTMENT BUDGET TO UPDATE THE APPROPRIATION FOR THE ADVANCED LIFE SUPPORT SERVICE PROGRAM STARTUP COSTS (4/5THS VOTE REQUIRED) (Fire Chief)

Staff recommendation: Council adopt the resolution.

5. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE COMPENSATION SCHEDULE AND CLASSIFICATION PLAN TO REFLECT CHANGES IN THE COMPENSATION FOR THE CBAG EXECUTIVE DIRECTOR AND CBAG DEPUTY EXECUTIVE DIRECTOR (Police Chief)

Staff recommendation: Council adopt the resolution.

6. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE COMPENSATION SCHEDULE AND CLASSIFICATION PLAN TO REFLECT THE ADDITION OF CIVILIAN POLICE INVESTIGATOR (4/5THS VOTE REQUIRED) (Police Chief)

Staff recommendation: Council adopt the resolution.

7. A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE COMPENSATION SCHEDULE AND CLASSIFICATION PLAN TO REFLECT THE ADDITION OF FISCAL AGENT GEOSPATIAL INTELLIGENCE ANALYST (Police Chief)

- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADDING ONE FISCAL AGENT GEOSPATIAL INTELLIGENCE ANALYST TO THE AUTHORIZED STAFFING LEVEL OF THE POLICE GRANT FUND AND APPROPRIATING \$15,553 TO THE FISCAL YEAR 2012/2013 BUDGET OF THE POLICE GRANT FUND (4/5THS VOTE REQUIRED) (Police Chief)

- C. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 RELATING TO THE ESTABLISHMENT OF UNCLASSIFIED POSITIONS (FIRST READING) (Police Chief)

Staff recommendation: Council adopt the resolutions and place the ordinance on first reading.

8. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AMENDMENT TO THE CHULA VISTA POLICE OFFICERS ASSOCIATION MEMORANDUM OF UNDERSTANDING TO ADD ARTICLE 2.16 - NEW HIRE LATERAL INCENTIVE PAY (Police Chief)

Staff recommendation: Council adopt the resolution.

9. A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE APPLICATION TO THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT TO UPDATE THE TARGETED EMPLOYMENT AREA FOR THE SAN DIEGO REGIONAL ENTERPRISE ZONE (Assistant City Manager/Director of Development Services)
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE EXPANSION OF THE BOUNDARY OF THE SAN DIEGO REGIONAL ENTERPRISE ZONE AND AUTHORIZING THE CITY MANAGER TO SIGN AND SUBMIT ALL REQUIRED DOCUMENTS TO THE STATE HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT (Assistant City Manager/Director of Development Services)

Staff recommendation: Council adopt the resolutions.

10. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA (1) APPROVING FISCAL YEAR 2013/2014 ANNUAL ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIP (HOME), AND THE EMERGENCY SOLUTIONS GRANT (ESG) PROGRAMS; (2) AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AGREEMENTS FOR THE MANAGEMENT AND IMPLEMENTATION OF ELIGIBLE PROJECTS WITH EACH SUBRECIPIENT/CONTRACTOR; (3) AUTHORIZING THE CITY OF CHULA VISTA DEVELOPMENT SERVICES DEPARTMENT TO ENTER INTO AN MEMORANDUM OF AGREEMENT WITH THE DEPARTMENT OF RECREATION FOR THE IMPLEMENTATION OF TWO CDBG FUNDED PROGRAMS; (4) AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL RELATED DOCUMENTS NECESSARY TO OBTAIN THE HUD GRANTS; AND (5) APPROVING AN AMENDMENT TO THE FISCAL YEAR 2008/2009 ANNUAL ACTION PLAN OF THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP) (Assistant City Manager/Director of Development Services)

Staff recommendation: Council adopt the resolution.

11. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A TWO-PARTY AGREEMENT FOR PROFESSIONAL SERVICES WITH SCS ENGINEERS TO ASSIST IN THE IMPLEMENTATION OF THE US EPA COMMUNITY-WIDE BROWNFIELDS ASSESSMENT GRANT; WAIVING THE FORMAL CONSULTANT SELECTION PROCESS, AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT (Assistant City Manager/Director of Development Services)

Staff recommendation: Council adopt the resolution.

12. A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING FOR FILING THE FINAL ENGINEER'S REPORT FOR ALPINE AVENUE ASSESSMENT DISTRICT 2012-01 (Director of Public Works)

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE DEFERRAL OF ASSESSMENTS; ESTABLISHING THE RATE OF INTEREST AT FIVE PERCENT (5%) PER YEAR, WITH A MAXIMUM FINANCING PERIOD OF TEN YEARS; AND APPLYING SUCH INTEREST RATE AND DEFERRAL PERIOD TO ALL DEFERRALS FOR ALPINE AVENUE ASSESSMENT DISTRICT 2012-01 (Director of Public Works)

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMOUNTS OF THE FINAL ASSESSMENTS FOR PROPERTIES WITHIN ASSESSMENT DISTRICT 2012-01, AUTHORIZING THE PLACEMENT OF LIENS IN THE AMOUNT OF THE ASSESSMENTS ON THE RESPECTIVE PROPERTIES, AND AUTHORIZING THE COLLECTION OF THE ASSESSMENTS AT THE SAME TIME AND IN THE SAME MANNER AS OTHER CITY PROPERTY TAXES AND ASSESSMENTS ARE COLLECTED BY THE COUNTY RECORDER OF THE COUNTY OF SAN DIEGO (Director of Public Works)

Staff recommendation: Council adopt the resolutions.

13. A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING FOR FILING THE FINAL ENGINEER'S REPORT FOR TWIN OAKS AVENUE ASSESSMENT DISTRICT 2011-02 (Director of Public Works)

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE DEFERRAL OF ASSESSMENTS; ESTABLISHING THE RATE OF INTEREST AT FIVE PERCENT (5%) PER YEAR, WITH A MAXIMUM FINANCING PERIOD OF TEN YEARS; AND APPLYING SUCH INTEREST RATE AND DEFERRAL PERIOD TO ALL DEFERRALS FOR TWIN OAKS AVENUE ASSESSMENT DISTRICT 2011-02 (Director of Public Works)

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMOUNTS OF THE FINAL ASSESSMENTS FOR PROPERTIES WITHIN ASSESSMENT DISTRICT 2011-02, AUTHORIZING THE PLACEMENT OF LIENS IN THE AMOUNT OF THE ASSESSMENTS ON THE RESPECTIVE PROPERTIES, AND AUTHORIZING THE COLLECTION OF THE ASSESSMENTS AT THE SAME TIME AND IN THE SAME MANNER AS OTHER CITY PROPERTY TAXES AND ASSESSMENTS ARE COLLECTED BY THE COUNTY RECORDER OF THE COUNTY OF SAN DIEGO (Director of Public Works)

Staff recommendation: Council adopt the resolutions.

14. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA REJECTING ALL BIDS RECEIVED FOR THE “CHULA VISTA GOLF COURSE PEDESTRIAN TRAIL AND BRIDGE IMPROVEMENTS IN THE CITY OF CHULA VISTA, CALIFORNIA (CIP NO. PR318)” PROJECT AND DIRECTING STAFF TO RE-BID THE PROJECT (Director of Public Works)

Staff recommendation: Council adopt the resolution.

15. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND WILDLANDS, INC., A DELAWARE CORPORATION, TO PURCHASE THE REQUIRED OFF-SITE MITIGATION CREDITS FOR THE WILLOW STREET BRIDGE REPLACEMENT PROJECT AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE AGREEMENT (Director of Public Works)

Staff recommendation: Council adopt the resolution.

ITEMS REMOVED FROM THE CONSENT CALENDAR

PUBLIC COMMENTS

Persons speaking during Public Comments may address the Council on any subject matter within the Council's jurisdiction that is not listed as an item on the agenda. State law generally prohibits the Council from discussing or taking action on any issue not included on the agenda, but, if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. Comments are limited to three minutes.

PUBLIC HEARINGS

The following item(s) have been advertised as public hearing(s) as required by law. If you wish to speak on any item, please fill out a “Request to Speak” form (available in the lobby) and submit it to the City Clerk prior to the meeting.

16. PUBLIC HEARING ON CHULA VISTA’S PORTION OF THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (Director of Public Works)

Staff recommendation: Council conduct the public hearing and adopt the following resolution:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDMENT OF THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2012/2013 THROUGH 2016/2017 FOR INCLUSION IN THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM, PROVIDING THE CERTIFICATION AND INDEMNITY STATEMENTS NECESSARY TO OBTAIN TRANSNET FUNDS

ACTION ITEMS

The Item(s) listed in this section of the agenda will be considered individually by the Council and are expected to elicit discussion and deliberation. If you wish to speak on any item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.

17. UPDATE ON THE PROCESS OF THE PROACTIVE SIGN ENFORCEMENT PROGRAM
(Assistant City Manager/Director of Development Services)

Staff recommendation: Council accept the report.

OTHER BUSINESS

18. CITY MANAGER'S REPORTS
19. MAYOR'S REPORTS
20. COUNCILMEMBERS' COMMENTS

Councilmember Aguilar: Memorandum Requesting Council Consensus to Place an Item on the Next Council Agenda Regarding the Format for Handling Outstanding Public Safety Topics.

ADJOURNMENT to the City Council Workshop on May 9, 2013, at 4:00 p.m., in the Police Department Community Room.

Materials provided to the City Council related to any open-session item on this agenda are available for public review at the City Clerk's Office, located in City Hall at 276 Fourth Avenue, Building 100, during normal business hours.

In compliance with the AMERICANS WITH DISABILITIES ACT

The City of Chula Vista requests individuals who require special accommodations to access, attend, and/or participate in a City meeting, activity, or service, contact the City Clerk's Office at (619) 691-5041 (California Relay Service is available for the hearing impaired by dialing 711) at least forty-eight hours in advance of the meeting.

In accordance with California Government Code Section 66458(d), notice is hereby given that the City Engineer has reviewed and, immediately following this City Council meeting of May 7, 2013, will approve the following final map:

Chula Vista Tract No. 11-05, Otay Ranch Village 2 North, Neighborhood R-8A Unit No. 2, 2 single family units located on 5.579 acres south of Olympic Parkway and west of La Media Road.

Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded, unless an interested party files a valid appeal of the City Engineer's action to City Council no later than 2:00 p.m., 10 calendar days from the date of this City Council meeting. A valid appeal must identify the improper/incorrect finding and the basis for such conclusion.

If you have any questions about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact Tom Adler at (619) 409-5483.